

Case Officer: Saffron Loasby

Applicant: DSV United Kingdom Ltd.

Proposal: New detached offices and agricultural buildings for a new agricultural seed facility, including access road, parking, landscaping, and associated facilities

Ward: Cropredy, Sibfords and Wroxton

Councillors: Councillors Chris Brant, Phil Chapman and Douglas Webb

Reason for Referral: Major Application - 1,000+ sq. m floor space created

Expiry Date: 21 June 2024

Committee Date: 11 July 2024

SUMMARY RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS AND COMPLETION OF A LEGAL AGREEMENT WITH REGARDS TO CONTRIBUTIONS TO HIGHWAYS AND OFFSITE BIODIVERSITY NET GAIN

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site lies to the east of the Wardington Road, just south of the village of Wardington and 5 miles northeast of the town of Banbury, in the Cherwell valley, north Oxfordshire.
- 1.2. The site is accessed from an existing private highway junction that currently serves various farm barns and a farm storage facility. Whilst the site is described as open countryside, directly adjacent to the eastern boundary are numerous agricultural buildings. These are mostly modern steel framed buildings with exposed concrete panel lower walls, box profile tin clad sides and cement fibre sheet roofs.
- 1.3. The site is currently used for arable crops, which is part of the DSV trial crop land, which the company used to rent locally. The site has now been purchased outright by DSV Ltd. The existing DSV site is located approximately 300m north of the application site.
- 1.4. The application has been submitted with the following supporting documents:
 - Design and Access Statement
 - Planning Statement
 - Drainage Statement V3
 - Drainage Calculations x 3
 - Transport Appraisal
 - Landscape and Visual Impact Assessment with appendices.
 - Ecological Appraisal
 - BNG Feasibility Assessment and metric calculation tool
 - Letters of Support

2. CONSTRAINTS

- 2.1. The application site is within the countryside, designated as Category 1 Best and Most versatile land (BMV) and a public right of way (footpath 23 route, code 393/23/10) runs from the village (approx. 730m) north of the application site, through the farm buildings, that are located (approx. 45m) to the east and continues south towards Coton Farm, north of Chacombe. There is a Listed barn located approximately 80m east of the application edge and a small pond is marked on the constraints map (albeit not visible when the site visit was carried out).
- 2.2. The site is bound on the south and west by a low well-trimmed hedgerow. There is one mature tree located close to the entrance of the site.
- 2.3. The site is in Flood Zone 1 with limited key landscape features on the actual application site. The site is flat and visibility from the site to the village and surrounding countryside is extensive. There are limited tree copses or wooded areas that break up the line of sight and therefore the site is predominantly surrounded by open countryside bar the existing neighbouring farm structures.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The scheme proposes new offices and agricultural buildings for a new agricultural seed facility, including access road, parking, landscaping, and associated facilities.
- 3.2. The proposal comprises the erection of 4 main buildings with a large glasshouse. These are described in more detail below.
- 3.3. The office space differs from the previously submitted scheme in that it is no longer detached and the large glazed entrance that was facing Wardington Road has been removed. It still comprises a two-storey building that will adjoin building 2, and is set behind the existing hedgerow, proposed landscaping, and a new large pond.
- 3.4. The main entrance into the building faces south towards the new greenhouse with views across the proposed access and relocated parking. The form of the building has been simplified and is primarily square in footprint under a low-pitched roof. The glazed link has also since been removed. A spiral staircase on the north elevation is the first floor fire escape route.
- 3.5. Internally the ground floor offers 198 sq.m of gross internal floor area comprising a lobby and waiting area upon entry, 3 offices with approximately eight desk spaces. There is a canteen and staff room, lift, disabled WC, toilet and shower space and storage cupboard for cleaning equipment.
- 3.6. At first floor the offices comprise a further 187 sq.m, and four further offices. Also, a landing/informal meeting area, equipment store, kitchenette, two additional toilets and a meeting room people.
- 3.7. Materials across the 4 buildings comprise sheet metal roofing, aluminium windows, a mixture of smooth and profile metal wall cladding on a brick plinth and natural cedar timber cladding, primarily to the office building. The previously proposed braise soleil have since been removed from the ground floor openings.
- 3.8. Building 2 and 3 are linked together by a large roller shutter door internally. Building 2 measures 20.6m x 20m, is two storeys high and is referred to as the small seed processing unit. It has a mezzanine at first floor comprising storage space, a Laboratory area and milling room. At ground floor there is further office space, toilets

and changing facilities. Both floors are accessible from the office building at ground and first floor.

- 3.9. Building 3 comprises 35.9m x 20.6m, with a 4m overhanging roof. This is referred to as the 'large seed processing building' and whilst tall only has one ground floor level. Both buildings 2 and 3 measure approximately 8.7m to the ridge and 6m to the eaves. Both buildings comprise similar materials to those of the office building, detail under paragraph 3.6 above. Eighteen rooflights are proposed in building 2 and 37 rooflights in building 3.
- 3.10. Building 4 is referred to as the machinery hall and comprises 34.m x 21m, made up of the same materials, similar dimensions and with 48 rooflights.
- 3.11. Finally, the proposed glasshouse and boiler room would be sited along the south boundary of the application site and measure 4m to the eaves, 36m x 12m. This would consist of mostly glass and profile sheet metal.
- 3.12. Associated car parking space would be provided to the south of the proposed buildings and to the north of the glasshouse. The bulk of the parking has been removed providing 19 car parking spaces on site. The car access would remain where it currently sits on site and the tractor and lorry access would be provided to the eastern part of the application site, accessed directly from the farm track.

DSV Ltd, justification for relocation and the proposed development

- 3.13. This application has been submitted with a separate and more detailed Planning Statement prepared by Chadwick Town Planning. This document aims to address some of the concerns raised under the earlier application and the recommendation of refusal prior to its withdrawal. Importantly it includes and considers alternative site assessments, what exceptional circumstances exist, and justification for its size, location, and design. This will be discussed in more detail under the Principle of Development section of this report.
- 3.14. Extract from the applicant's website: *DSV United Kingdom Ltd are part of an International plant breeder based in Germany and with subsidiaries across the world. DSV UK operates from it breeding and trials centre at Wardington in Oxfordshire comprising of around 50ha of land used to breed winter wheat and forages and for National List trials of wheat and grass.*
- 3.15. At present the applicant is located on land to the north of the application site at Top Dawkins Farm. DSV has occupied this facility for 15 years, they rent local land and work with local farmers. The land is shared with the working farm and two of the newest agricultural buildings on site are used for this purpose (the farm). DSV is currently located in the other barns and has a shared access and a glasshouse. A Prior Notification for Agricultural building application was refused for a portacabin to be located to the south of the existing building as it did not meet the legislation requirements for this type of application. One of which was with regard to the building not being for agricultural use.
- 3.16. Previous discussions with the agent informed officers that the existing buildings comprise a total floor area of 2,305 sq.m, including 771 sq.m that is currently being rented. If the rented space was included the existing space would be close to that proposed on the application site. The glass house is larger than the existing as it includes the space the polytunnels currently use and a new boiler room.
- 3.17. Land is currently rented by the applicant from four local farmers. Two of which are in the village of Wardington, the others being in Edgecote and Great Bourton. One farm,

closest to the new and existing sites, has good quality land (management, topography and soil type) for the trials and plant breeding that is carried out; thus remaining local to the existing facilities would enable DSV to continue its research. DSV is increasing the land it rents from farmers as the business grows but the increase in field trials does not equate to an increase in facilities.

- 3.18. Wardington is the only facility in the UK and is currently the HQ of the UK operations. This would not change in the future. Additionally, DSV run field trials with third parties at multiple locations in the UK. The activity at the new site would not differ from what is currently carried out on the existing site.
- 3.19. Clearly, the existing site was not originally designed for DSV, and it is understood that DSV lacks the space to carry out business in an efficient manner. The existing site incorporates work carried out on small machines with the large seed handling unit where the forklift operates. The proposal aims to separate these two activities for efficiency and staff safety.
- 3.20. Currently the offices and working areas are within what was originally a cattle barn and as such it has proved difficult to heat efficiently. The new premises would be more environmentally friendly regarding energy consumption. Fire exits and signage into the existing infrastructure are not optimal, and the new facility would have fire safety built into the design.
- 3.21. It is understood that DSV stores seed as part of the business and it can be costly in terms of energy in the existing facility. The new site would be insulated and include efficient drying systems without having to move seed to third-party storage off-site.
- 3.22. Creating a machinery hall with workshop keeps machinery away from pedestrian working areas and allows the safe and efficient movement of vehicles. Due to lack of space, vehicles are currently stored in the working space, having to move them outside and out of the way before starting any process, thus having an impact on safety and efficiency.
- 3.23. Staff: At present there are 10 staff working on site with 5 further members working from home. The plan is to have all staff under one roof and capacity to hot desk and have meetings on site when needed. Staff on the current site all live within a 10-mile radius (with one in Daventry, 12 miles away). Two members of staff live in the village of Wardington and last year, two seasonal staff members were also from the village. DSV Ltd contracts the services of local farmers as well as local cleaners and maintenance staff. Machinery service engineers are also small local business owners. Much of what DSV Ltd does seek to support local community and foster relationships with local businesses.
- 3.24. The applicant has advised that it does not intend to rent out office space and that if required a legal agreement related to DSV's sole use would be acceptable.

4. RELEVANT PLANNING HISTORY

- 4.1. The only planning history to this site is the previously withdrawn scheme for the same development. This was recommended for refusal for the following reason, but was withdrawn prior to determination.

The proposal represents unsustainable development because it conflicts with the spatial strategy of Cherwell Local Plan 2011-2031 by proposing development on an unallocated site. The scale and nature of the use is considered inappropriate in this rural location and the application fails to demonstrate exceptional circumstances or adequate justification for why the development should be the size and scale proposed

and located on an unallocated rural site. Given its location remote from towns, larger villages and key amenities, the proposal would be sited in a geographically unsustainable location and would promote reliance on the private car. In addition, by reason of its scale and design, the proposal would have an adverse effect on the character and appearance of the area. The proposal therefore conflicts with Policies PSD1, ESD1 and SLE1 of the Cherwell Local Plan 2011-2031 and Government guidance in the National Planning Policy Framework.

- 4.2. Additionally, given the applicant already uses premises locally (approximately 370m to the north of the application site) it is considered appropriate to look at the planning history of this site to fully understand how the site has established over time. The site is shared as part of a working farm and therefore applications on this site are relevant to both Top Dawkins Farm (landowner) and DSV Ltd (the applicant).
- 4.3. **00/01530/F** – Change of use from agricultural to light industrial and office use B1 and warehousing and distribution use B8 – Refused 25/09/2000. (Top Dawkins Farm)
- 4.4. **10/00943/F** – Erection of Venlo glass house – Permitted 10/08/2010. (DSV)
- 4.5. **13/00288/F** – Alterations to the existing access – Permitted 19/04/2013. (DSV)
- 4.6. **15/00161/F** – General Purpose Agricultural building – Permitted 25/03/2015 (Top Dawkins Farm)
- 4.7. **21/01472/AGN** – Erection of general-purpose farm building – Permitted 13/01/2022 (Top Dawkins Farm)
- 4.8. **22/03265/AGN** – Portacabin. Planning Permission required. 22/11/2022 (DSV)

5. PRE-APPLICATION DISCUSSIONS

- 5.1. No pre-application discussions have taken place with regard to this proposal, however there has been discussion during the application process prior to withdrawal of the last scheme and prior to presentation at committee for this scheme.

6. RESPONSE TO PUBLICITY

- 6.1. This application has been publicised by way of a site notice displayed near the site and central to the village of Wardington, by advertisement in the local newspaper. The final date for comments was **28th May 2024**, although comments received after this date and before finalising this report have also been taken into account.
- 6.2. One letter of representation has been received that raises the following concerns:
 - DSV do not 'have to move' because 'their rent is coming to an end'. The current lease expires in 2025 and there is scope to renew it.
 - DSV do not 'have to move' because the 'buildings are unfit for purpose'. The buildings are not purpose built but they are perfectly adequate for the use.
 - It is inaccurate to suggest that DSV cannot expand or reconfigure the existing site. Previous discussions have led to expansion and there is more space to expand if needed through negotiation.
 - Inaccurate to suggest that DSV have outgrown the site and that the existing site cramped. The new building does not vary in size to that being proposed.

There is scope to expand. The new site has boundary constraints whilst the existing does not.

- Inaccurate to suggest there are no suitable alternative premises available when the current site offers plenty of opportunities and has been since 2006.
- Inaccurate to suggest DSV needs suitable permanent premises to “remain effective, consolidate and grow” as it suggests the current arrangement and future opportunities are not suitable or permanent.
- Inaccurate to suggest that DSV cannot carry out their working activities as the workspace is combined for work and storage of machinery. Space has been provided through the erection of other buildings on site and having exclusive use of them.
- Inaccurate to state that the existing facility makes it difficult to mitigate against noise and dust. DSV have recently fitted a dust extractor unit at Top Dawkins Farm and therefore a result of the plant used on site and not the quality of the building.
- The existing site is adjacent to a 29-acre field used every year for over 18 years by DSV for grass trials and polytunnels.
- DSV claim that the proposal will help the business grow and become more sustainable but how so when the scheme proposes development on prime agricultural land when it is not necessary.
- Additional traffic along Wardington /Chacombe Road

7. RESPONSE TO CONSULTATION

- 7.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council’s website, via the online Planning Register.

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

- 7.2. WARDINGTON PARISH COUNCIL: The Parish Council supports this application as a permanent building for the business will help to keep this employer in the area. **No objection.**

OTHER CONSULTEES

- 7.3. BUILDING CONTROL: **No objections** to the application. Confirm a building regulations application will be required for this approval.
- 7.4. CDC ARBORICULTURE: **No objection.** I have no objections to the proposal from an arb point of view, the proposal seeks to retain much of the existing vegetation. However, I am unable to locate detail/information as to how the protection of the existing tree/hedges is to be implemented. Therefore, I would request the following pre commencement conditions be placed:

Prior to commencement an Arboricultural method statement in line with BS5837:2012 is to be submitted for review, outlining protective measures, and working practices to allow retention of existing trees/hedges.

- 7.5. The submitted Landscape plans provide sufficient detail to ensure successful establishment to enhance the location and development. I would welcome a condition to ensure the maintenance and successful establishment is secured. As an observation I note that detail with regards to the installation of root barrier within 3m of existing underground services, as a suggestion it may be beneficial to extend the installation of root barrier where a tree is to be planted within proximity to the proposed parking spaces.
- 7.6. OCC HIGHWAYS: Original **Objection** following further consultation. See documents on file. This is a very similar application to 23/01164/F which was withdrawn. Car parking has been reduced and this is welcome. A pedestrian access has been provided to the adjacent farm track, which leads to a public footpath linking to Wardington. The Transport Statement states that agreement has been reached with the adjacent landowner to permit access to employees from the development across their land to access the public footpath. This would provide a basic level of pedestrian connectivity to nearby housing and bus stops, which is considered acceptable for an employment development of this size. However, improvements to the access from Wardington Road, which were required and offered the previous application, are expressly excluded from this application.
- 7.7. Second response from OCC Highways following revision to the original document to include the missing information – still awaited at the time of writing this report. Members to be updated before or at Committee meeting.
- 7.8. OCC DRAINAGE: **Holding Objection** - I cannot find any detailed calculations for the application to confirm the storage volumes. These must be provided. There is reference to the use of Microdrainage to calculate approximate storage volumes which sounds like the preliminary estimates, which it is specifically not recommended to use for detailed design.
- 7.9. Second response from OCC Drainage following addition information being submitted - still awaited at the time of writing this report. Members to be updated before or at Committee meeting.
- 7.10. OCC ARCHAEOLOGY: **No objections** - The proposals outlined would not appear to have an invasive impact upon any known archaeological sites or features. As such there are no archaeological constraints to this scheme.
- 7.11. CDC ECOLOGY: **Concerns** raised regarding Biodiversity Net Gain and securing it through a S106, bat surveys and protection, the requirement for a Construction and Environmental Management Plan (CEMP), a Landscape and Environmental Management Plan (LEMP), lighting limitations and appropriate conditions securing them.
- 7.12. A full Habitat Management and Monitoring Plan (HMMP) will be needed to ensure habitats are created and managed appropriately for at least 30 years. This should be conditioned.
- 7.13. CDC ENVIRONMENTAL HEALTH: **No objection** subject to conditions.
- 7.14. CDC Legal Services Public Right of Way – No further comments to submit on this application.
- 7.15. No comments have been received from CDC Economic Growth, Landscape Services, Natural England or Thames Water.

8. RELEVANT PLANNING POLICY AND GUIDANCE

- 8.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the ‘saved’ policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District’s statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2015)

- PSD1: Presumption in Favour of Sustainable Development
- SLE1: Employment Development (site not allocated).
- SLE4: Improved Transport and Connections
- ESD1: Mitigating and Adapting to Climate Change
- ESD3: Sustainable Construction
- ESD7: Sustainable Drainage Systems
- ESD10: Protection and Enhancement of Biodiversity and the Natural Environment
- ESD13: Local Landscape Protection and Enhancement
- ESD15: The Character of the Built and Historic Environment

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- EMP1: Employment Generating Development (retained with regard to rural sites – site allocated).

8.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

9. APPRAISAL

9.1. The key issues for consideration in this case are:

- Principle of development
- Design, and impact on the character of the area
- Ecology impact
- Highways
- Other Matters

Principle of Development

Policy Context

- 9.1 Criteria listed below within Policy SLE1 of the CLP 2015 are relevant to the first four key issues. The site is not allocated, and the criteria therefore need to be met to support new employment proposals within rural areas on non-allocated sites. In order to conduct a proper review of the proposal’s policy compliance, these criteria are considered separately, within the sub-sections of this Appraisal.

- 9.2 The site is located in the open countryside, on category 1 best and most versatile land and on an un-allocated employment site. Policy SLE1 of the CLP 2015 states that employment development will be focused on existing employment sites and permitted subject to compliance with other policies in the Plan and other material considerations. It continues:
- 9.3 Unless exceptional circumstances are demonstrated, employment development in the rural areas should be located within or on the edge of those villages in Category A (see Policy Villages 1).
- 9.4 New employment proposals within rural areas on non-allocated sites will be supported if they meet the following criteria:
- a. They will be outside of the Green Belt, unless very special circumstances can be demonstrated.
 - b. Sufficient justification is provided to demonstrate why the development should be located in the rural area on a non-allocated site.
 - c. They will be designed to very high standards using sustainable construction and be of an appropriate scale and respect the character of villages and the surroundings.
 - d. They will be small scale unless it can be demonstrated that there will be no significant adverse impacts on the character of a village or surrounding environment.
 - e. The proposal and any associated employment activities can be carried out without undue detriment to residential amenity, the highway network, village character and its setting, the appearance and character of the landscape and the environment generally including on any designated buildings or features (or on any non-designated buildings or features of local importance).
 - f. The proposal will not give rise to excessive or inappropriate traffic and will wherever possible contribute to the general aim of reducing the need to travel by private car.
 - g. There are no suitable available plots or premises within existing nearby employment sites in the rural areas.
- 9.5. Policy PSD1 of the CLP 2015, relating to a presumption in favour of sustainable development, seeks to secure development that improves the economic, social and environmental conditions in the area.
- 9.6. Paragraph 85 of the NPPF states that planning decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements. The use of sites that are physically well-related to existing settlements should be encouraged where suitable opportunities exist.

Assessment

- 9.7. Policy SLE1 of the CLP 2015 relates to employment development, defined as B Use Classes, and has a strong urban focus. In this instance the applicant also proposes a business that is also heavily related to Research and Development. In the rural areas it states that unless exceptional circumstances are demonstrated employment development should be located within or on the edge of Category A villages.

- 9.8. The proposal is approximately two miles from Cropredy, with farmland dividing the two. It therefore fails to meet the requirement to be within or on the edge of a Category A village. Wardington is classified as a Cat B village.
- 9.9. In terms of the sustainability of the location, if accessing the site on foot there are no public footpaths along the main roads for 0.5 miles (0.7km) and no street lighting for on the walk along Wardington Road to the bus stop on Mount Pleasant. The public right of way accessed from the same point and across open countryside measures approximately the same distance and also unlit. At present there are also two stiles to cross on this route. Walkable / wheeling neighbourhoods are defined within Manual for Streets (MfS) as up to about 800m and bus stops should be within 400m. It is understood that the No. 200 bus service that ran between Daventry and Banbury, calling at Wardington was cut in April of last year. At present this is insufficient as an adequate means of commuting to and from work. As such, the development would promote a reliance on the car whether employees worked locally or not. It is therefore not an environmentally sustainable or policy compliant location for new B class development.
- 9.10. Paragraphs 88 and 89 of the NPPF sit alongside the Local Plan policies which allows for such development where it is adequately justified. The NPPF is not considered to be interpreted as unconditional support for the provision and expansion of rural businesses or farm diversification in geographically unsustainable locations and still needs to be balanced against other objectives such as reducing the need to travel, reducing car dependency and associated carbon reductions. Policy SLE1 and ESD1 which sits alongside this are therefore considered to be consistent with the NPPF and given full weight.
- 9.11. Policy SLE1 goes on to note that the Local Plan has an urban focus, and that justification will be required for new sites in rural areas, and this should include applicants demonstrating a need for and benefits of employment development in a particular location and explaining why the proposed development should not be located at the towns.
- 9.12. In addition to the policy requirement to demonstrate exceptional circumstances, Policy SLE1 goes on to note that new employment proposals within rural areas on non-allocated sites will be considered against a list of criteria. These are also considered to be relevant to the assessment of whether the location has been adequately justified. Below is an assessment of the proposal against the most relevant these criteria:
- 9.13. *Be outside of the Green Belt* – The proposal meets this criterion.
- 9.14. *Sufficient justification has been provided to demonstrate why the development should be located in a rural area on a non-allocated site* – The applicants advise that the new development *must* be next to the fields it uses for its research. However, this was previously questioned given the distance of the existing site to Edgecote and Great Bourton, both approximately 2km from the application site.
- 9.15. As a plant breeding company that researches and develops new varieties of wheat and forage grasses for UK farmers and businesses the majority of the research is carried out in the form of field trial, close to farm fields on high quality agricultural land. They work closely with local farmers, renting land to conduct studies and have their own farm machinery which necessitates a location with a rural setting and being a short distance from the fields.
- 9.16. The Planning Statement (in part) provides the following justification for this site:

- 9.17. *DSV or Deutsche Saatveredelung AG is one of the leading plant breeding and seed companies in Germany with an annual turnover of €241 million having operated successfully for almost 100 years. It has around 900 shareholders, mainly farmers and employees holding the share capital of DSV (10% maximum/shareholder).*
- 9.18. *DSV is a full-service provider in the seed market with services extending from research and breeding, through production, processing and distribution of seeds. The company has various seed breeding stations, numerous testing stations and a nationwide, regionally distributed network of branch offices and advisory services with its own processing plants, seed storage and distribution facilities.*
- 9.19. *DSV has been established in the UK for over 40 years with an exemplary track record of providing the best seed for many popular agricultural crops including oilseed rape, grasses, winter wheat, barley, maize, cover crops, lupins and linseed. Part of the international plant breeding business based in Germany, DSV UK operates from its breeding and trials centre at Top Dawkins Barn and adjacent land at Wardington, which is used to breed winter wheat and forages and for National List trials of wheat and grass. DSV is predominantly known for its oilseed rape varieties with high gross outputs combined with low growing costs alongside important agronomic features such as protection diseases.*
- 9.20. *DSV currently rent approximately 2,000 sqm of barn, greenhouse and office space and have done so for about fifteen years; they also rent about 11ha of farm land at Wardington for agricultural trials work, needing to rotate around fields (i.e. crop rotation) so rent other land of between 15 hectares to 20 hectares each year. This is over three farms: one is in Wardington next to the proposed site (same farm) and the other two are at Edgcote in West Northamptonshire and Great Bourton, 2 miles away across the Cherwell valley.*
- 9.21. *The benefit of plant breeding is substantial through yield and quality improvements and increased resilience to changing climatic conditions. The food supply chain contributed 7% of gross value added to the UK economy (£109 billion) at 2016 prices and most of this, whether crops or animals, is underpinned by plant breeding. The UK market for seeds is relatively small, compared to France or Germany, and the UK is a net importer of seeds, hence the need to support the industry for economic, resilience and other reasons.*
- 9.22. *Most plant breeding companies in the UK are located in Cambridgeshire. DSV's location further west allows them to develop wheat varieties with a certain profile which differs to those developed in the eastern part of the country. These include improved disease resistance. The site at Wardington is also good for the development of forage grass varieties as this area has more animal-based farming than the east of the country. DSV have special skills in running agricultural trials which they carry out for other breeding companies not present in this part of the country. Staff are trained in a number of areas including variety identification, crop husbandry, laboratory skills, data analysis.*
- 9.23. *The improved research and other facilities will allow DSV to branch into the testing of other agricultural crops and to provide demonstration plots to showcase their work to farmers both locally and nationally, which is supported by the German parent company, who are keen to invest in the project. This is surely a prestigious business, which is an asset to Cherwell and should be supported.*
- 9.24. *This proposal is clearly for an exceptional business of high quality, skill, intelligence and innovation; the company is established in Wardington and in Cherwell, is a market leader operating nationally and part of a parent company operating globally, significantly contributing to both the local and national economies and thereby*

demonstrating a set of “exceptional circumstances” that support the proposal as required by Policy SLE1 of the Local Plan Part 1. This supported by the British Society of Plant Breeders, Openfield Agriculture and Dalton Seeds – see their letters attached as Appendices 2, 3 and 4.

- 9.25. *High quality design, appropriate in scale and respect the character of the villages and surroundings* – Officers agree that buildings 2 to 4 are well designed and respect the character of the agricultural area. There were concerns regarding the proposed office building - its design, need, future functions and concerns regarding the scale of the proposal as a whole. The assessment of the impact on the character and appearance is outlined later in the report.
- 9.26. *No detrimental impact on amenity or highway network* – The Local Highway Authority raised concerns that appear could be overcome with an agreement to invest in footpath improvements. However, officers have concerns with the sustainability of the location along with the principal policy conflict; officers are also of the view that improvements to the footpath, whilst a planning gain would not justify or satisfactorily mitigate the locational sustainability concerns, and also having concerns regarding the visual impact of future footpath improvements in the countryside. See the Highway Safety sub heading below.
- 9.27. *No suitable available plots or premises within existing nearby employment sites in rural area* – Additional information has been provided in this regard to justify the rural location and in turn why the proposal is cannot be suitably located within or on the edge of a Category A village. The Planning Statement at para 4.43 informs of the analysis process in the search for alternative available premises. The Planning Statement also details the scale, locations and their suitability. The findings suggest that there are no other suitable premises for this specialist requirement.
- 9.28. However, whilst the buildings on the existing site are not bespoke, they have served the business for 15 years. Officers consider it necessary that justification is also provided as to why the existing site cannot be developed and smaller buildings considered across a wider area rather than building them all in one location.
- 9.29. Paragraph 4.45 advises that:
- “This proposal represents a considerable investment by the Applicant so it is not unreasonable for them to wish to provide a comprehensive facility on one site that meets their operational requirements. They are already established in Wardington, have been operating out of Top Dawkins Barn for 15 years and existing premises are not fit-for-purpose. The application site provides an ideal opportunity for relocation (being beside land which they already work) and is perfect for DSV’s varied office, storage, research, seed production and other operations. This site, and the purpose-built premises, provide the opportunity for DSV to operate more effectively, to grow as a business, employ a few more people and become more efficient, sustainable and retain staff”.*
- 9.30. In response to this query and the comments made by the one representation received, DSV states that it has indeed appreciated a long-term good working relationship at their current premises, where the landlord has always been very helpful, allowing DSV to adapt the site accordingly. However, whilst there is room for further negotiations, the existing site is not providing a return on investment and the improvements remain the property of the landlord. Making improvements to the existing site to make it fit for purpose is not commercially viable for DSV.
- 9.31. The need to move from the existing premises is to secure long-term commitment and investment from DSV’s parent company in their research and development

programme with the view to grow and develop their trials as well as the long-term financial viability of the company so that they can continue to operate efficiently and support local businesses and staff. The landlord has offered us a lease extension and this additional rent has been included in our cost-benefit calculations with a new DSV-owned facility being the necessary option for the business.

- 9.32. Over the last 4 years the number of employees that work from the site has doubled. It is not only the floor area that is important for DSV but to also have all the facilities for staff on one site. The existing site could be completely reconfigured, but this would disrupt work and increases costs and the financial viability of the business as well as not securing any future commitment or growth from their parent company.
- 9.33. The new site is not much larger than the existing site and that expansion is currently possible. The new site has been designed in a way to meet all of DSV requirements and priorities and also allow for future growth as well as a much more efficient way of working and use of space. The new site would be much more efficient in terms of workflows and DSV will make much better use of the available space. There are expansion options available at our existing site but, again, at a cost. To convert this to office space is of course possible but not a simple undertaking. The landlord refers to the option he presented to DSV, building new offices on the site and paying a ground rent. Clearly this would be a very similar to what we are currently seeking to do but with the additional benefit to the landlord of a ground rent, DSV would not have full control over any future modifications and not maintain ownership or ultimate control of the asset.

Conclusion

- 9.34. The spatial strategy of a Local Plan is to direct growth towards the most suitable locations and to limit growth in rural areas. The site is not an environmentally sustainable location and conflicts with the locational strategy of Policy SLE1. However, it is considered that exceptional circumstances have been demonstrated as required by SLE1 and justification has been provided for this scale of development only a short distance from its existing premises. It has demonstrated that there are no suitable sites for the premises and why the scheme is in its rural location. Given that the principle of development rests on the exceptional circumstances of the case, and the scale and design of the buildings, it is necessary that a condition is imposed on any permission given to limit the use to that which is proposed.
- 9.35. Officers consider there is still some harm that would arise as a result of the proposed siting of the development; however, the submission documents have appropriately addressed the elements that would otherwise be in direct conflict with the spatial strategy, with Policies SLE1, ESD1 and PSD1 of the CLP 2015 and with the provisions of the NPPF. The assessment here on in is whether the balance of the benefits of this scheme outweigh the harm. This is assessed further below.

Design and impact on the character of the area

Policy context

- 9.36. Policy ESD13 states that development will be expected to respect and enhance local landscape character, securing appropriate mitigation where damage to local landscape character cannot be avoided. It also states that proposals will not be permitted if they would cause undue visual intrusion into the open countryside, cause undue harm to important natural features, be inconsistent with local character, harm the setting of settlements, or harm the historic value of the landscape. Policy ESD15 states successful design is founded upon an understanding and respect of an area's

unique built and natural context and should contribute to an area's character respecting the traditional form, scale and massing of buildings.

Impact due to scale and visibility of the proposal

- 9.37. It is understood that the existing site (comprising approximately 0.45ha) is not entirely fit for purpose for the growth of DSV. The revised proposal comprises excess of 2,000 sq.m of new floor area on high quality agricultural land. The design and layout have been amended to reduce areas of proposed hardstanding and parking provision is reduced from 30 to 19 car spaces. The two separate areas for access and turning are for different purposes aimed at avoiding conflict of vehicles across the wider site. The buildings proposed for development, whilst agricultural in character, are closely comparable to the buildings located on the farm site to the east in terms of floor area. These buildings are very apparent from a number of surrounding views and the proposed scale will have a significant impact on the wider countryside and landscape character. The office building has been amended in design terms to visually appear more agricultural in character, despite its office/research and development uses. This has improved the appearance of the buildings in the wider countryside; however, the proposed scheme would have a significant material visual impact on the wider countryside views. Planting and 'softening' of the site would be limited due to the openness of the location.
- 9.38. The application site is within 100m of a listed barn; however, given the immediate farm surroundings it is considered to be sufficiently visually detached so as to not have an adverse impact on its immediate or wider setting.
- 9.39. The scheme suggests retention of the existing hedges, except for where further visibility is needed at the access point. New planting is proposed along the north and east boundaries. Whilst it is appreciated that the landscape character does not lend itself to large screening tree belts some mitigation is further considered in the revised scheme and is referred to in the conclusions of the submitted Landscape and Visual Impact Assessment (LVIA). This document also advises hedges should be improved and enhanced, allowing growth to 3m, additional structural planting to the north elevation and wider landscape planting to mitigate the proposed buildings on the wider landscape.
- 9.40. Officers mostly agree with the content in the submitted LVIA, but disagree with the assessment specifically in respect of Views 5, 6 and 17. Whilst most Views have been given minor to negligible outcomes, this is based on the existing neighbouring farm buildings as a backdrop or continuation of development. In some instances (View 6) the continuation of farm buildings include the existing DSV site, the existing farm buildings to the east and the expanse of the proposed development as one long continuation of built form that is vast in scale and considered to have an adverse impact on the countryside.
- 9.41. Figure 8 'Visual Envelope' of the LVIA (pg 11 of Appendix 1) clearly shows the openness of the site and expanse of surrounding landscape whereby the proposed development would have predominantly unobstructed views.

Conclusion

- 9.42. Officers agree partially with the content of the submitted LVIA, but not in respect of certain key views. The changes in design would go some way in improving the impact in the countryside and their more rural appearance and colours would result in the site becoming more recessive in appearance over time.

9.43. However, given its scale and location, the proposed development would still result in some harm arising from the visual impact of the proposed development on the rural character of the area. There would be some conflict with Policies ESD13 and ESD15 of the CLP 2015, and with the provisions of the NPPF. This weighs against the proposal.

Ecology Impact

Legislative context

9.44. The Conservation of Habitats and Species Regulations 2017 consolidate the Conservation of Habitats and Species Regulations 2010 with subsequent amendments. The Regulations transpose European Council Directive 92/43/EEC, on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive), into national law. They also transpose elements of the EU Wild Birds Directive in England and Wales. The Regulations provide for the designation and protection of 'European sites', the protection of 'European protected species', and the adaptation of planning and other controls for the protection of European Sites.

9.45. Under the Regulations, competent authorities i.e. any Minister, government department, public body, or person holding public office, have a general duty, in the exercise of any of their functions, to have regard to the EC Habitats Directive and Wild Birds Directive.

9.46. The Regulations provide for the control of potentially damaging operations, whereby consent from the country agency may only be granted once it has been shown through appropriate assessment that the proposed operation will not adversely affect the integrity of the site. In instances where damage could occur, the appropriate Minister may, if necessary, make special nature conservation orders, prohibiting any person from carrying out the operation. However, an operation may proceed where it is or forms part of a plan or project with no alternative solutions, which must be carried out for reasons of overriding public interest.

9.47. The Regulations make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in Schedule 2, or pick, collect, cut, uproot, destroy, or trade in the plants listed in Schedule 4. However, these actions can be made lawful through the granting of licenses by the appropriate authorities by meeting the requirements of the 3 strict legal derogation tests:

- (1) Is the development needed to preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment?
- (2) That there is no satisfactory alternative.
- (3) That the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

9.48. The Regulations require competent authorities to consider or review planning permission, applied for or granted, affecting a European site, and, subject to certain exceptions, restrict or revoke permission where the integrity of the site would be adversely affected. Equivalent consideration and review provisions are made with respects to highways and roads, electricity, pipelines, transport and works, and environmental controls (including discharge consents under water pollution legislation).

Policy Context

- 9.49. Paragraph 170 of the NPPF states that Planning policies and decisions should contribute to and enhance the natural and local environment by (amongst others): a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils; and d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- 9.50. Paragraph 175 states that when determining planning applications, local planning authorities (LPAs) should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.
- 9.51. Paragraph 180 of the NPPF states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should (amongst others) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.
- 9.52. Policy ESD10 of the CLP 2015 lists measures to ensure the protection and enhancement of biodiversity and the natural environment, including a requirement for relevant habitat and species surveys and associated reports to accompany planning applications which may affect a site, habitat or species of known ecological value.
- 9.53. Policy ESD11 is concerned with Conservation Target Areas (CTAs) and requires all development proposals within or adjacent CTAs to be accompanied by a biodiversity survey and a report identifying constraints and opportunities for biodiversity enhancement.
- 9.54. These policies are both supported by national policy in the NPPF and also, under Regulation 43 of Conservation of Habitats & Species Regulations 2017, it is a criminal offence to damage or destroy a breeding site or resting place, unless a licence is in place.
- 9.55. The Planning Practice Guidance dated 2014 post-dates the previous Government Circular on Biodiversity and Geological Conservation (ODPM Circular 06/2005), although this remains extant. The PPG states that LPAs should only require ecological surveys where clearly justified, for example if there is a reasonable likelihood of a protected species being present and affected by development. Assessments should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity.

Assessment

- 9.56. Natural England's Standing Advice states that an LPA only needs to ask an applicant to carry out a survey if it's likely that protected species are:
- a. present on or near the proposed site, such as protected bats at a proposed barn conversion affected by the development

It also states that LPA's can also ask for:

- b. a scoping survey to be carried out (often called an 'extended phase 1 survey'), which is useful for assessing whether a species-specific survey is needed, in cases where it's not clear which species is present, if at all
- c. an extra survey to be done, as a condition of the planning permission for outline plans or multi-phased developments, to make sure protected species aren't affected at each stage (this is known as a 'condition survey')

9.57. The Standing Advice sets out habitats that may have the potential for protected species, and in this regard the applicant has submitted an ecological assessment. In general, there are few protected species issues on site that cannot be dealt with by conditioning a CEMP for Biodiversity.

9.58. The Biodiversity Net Gain Feasibility Study report (Griffin Ecology, March 2024) demonstrates a unit gain of 10.71% habitat units and 10.36% hedgerow units. These gains consist of onsite and offsite habitat creation and enhancement. Because the applicants are relying on offsite gains to achieve a 10% net gain, this will need to be secured by way of a legal agreement. This offsite habitat is proposed as 'moderate' condition Other Neutral Grassland.

9.59. Further questions about the use of the land have been raised, particularly with regard to its use and benefit. This could impact the condition of the grassland, which would impact the ability for the site to achieve net gain – particularly since the proposed net gain is only 10% and there isn't a large buffer to fall back on if 'moderate' condition is not met. Clarification from the applicant advises that there would be no public access to this land. Therefore, the condition of the grassland would not be impacted.

9.60. This application would be subject to the biodiversity gain condition, which is a pre-commencement condition. Once planning permission has been granted, a Biodiversity Gain Plan must be submitted and approved by the LPA before commencement of the development. As such, we would not need to attach a BNG condition. However, we would need a Habitat Management and Monitoring Plan (HMMP) to ensure habitats are created and managed appropriately for at least 30 years. This HMMP should be conditioned. We should also include information about the biodiversity gain condition in the decision letter.

9.61. Bats - The PEA report (Griffin Ecology, 2022) states 'should the development not take place prior to October 2023 the standard tree should be re-surveyed to ensure an up to date understanding of the potential ecological impacts of the proposals' in relation to bat roosting potential. This survey should be undertaken and the results submitted, so that we know if impacts to bats would be likely. This should be prior to determination as per Section 99 of the Government circular 06/2005 on biodiversity and geological conservation which states that *'It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.'* And *'Use of planning conditions to secure ecological surveys after planning permission has been granted should only be applied in exceptional circumstances.'* However, if this tree is to be retained, and buffered during the construction phase of the development, then this survey can be included in the CEMP as a pre-commencement check.

9.62. The lighting plan should ensure that no lights are installed on or near this tree unless it can be confirmed that bats are not using it to roost. CEMP for biodiversity The PEA recommends that precautionary works are undertaken to avoid impacting nesting

birds, badgers, hedgehogs, reptiles, and amphibians. A CEMP should be produced which outlines the measures required to protect these species during construction. This includes (but is not limited to) timing of works for nesting birds, pre-commencement checks and precautionary measures for terrestrial mammals, and a RAMMS for amphibians and reptiles. This should be attached as a pre-commencement condition.

- 9.63. Biodiversity Enhancements - We should be seeking a net gain in biodiversity in line with the NPPF and local plan. This includes species-specific enhancements in addition to the BNG habitats being created to achieve a 10% net gain. Species-specific enhancements, such as bird/bat bricks, insect bricks, hedgehog houses, and hibernacula should be incorporated into the plans. The number and location of these enhancements should be shown on any such plan and should be included in the LEMP – which should be conditioned.
- 9.64. Lighting - A suitable lighting strategy should be designed to ensure that and lighting, temporary or permanent, will be installed in line with the BCT guidance note 08/23 'Bats and Artificial Lighting at Night' and demonstrate that the lighting would not disturb bats or prevent them from using their territories. This lighting plan should be conditioned.

Conclusion

- 9.65. Officers are satisfied, on the basis of the advice from the Council's Ecologist and subject to conditions, that the welfare of any European Protected Species found to be present at the site and surrounding land would continue and be safeguarded notwithstanding the proposed development and that the Council's statutory obligations in relation to protected species and habitats under the Conservation of Habitats & Species Regulations 2017, have been met and discharged.

Highways

- 9.42 Paragraph 110 of the NPPF states that in assessing specific applications for development, it should be ensured that:
- a) *appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*
 - b) *safe and suitable access to the site can be achieved for all users;*
 - c) *the design of streets, parking areas, and other transport elements and the content of associated design standards reflects the current national guidance, including the National Design Guide and the National Model Design Code; and*
 - d) *any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.*

- 9.43 In addition, paragraph 111 highlights that development “should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.

Assessment

- 9.44 The proposed development would be accessed from an existing access serving the agricultural uses to the east i.e., no new access onto the highway. The Local Highway Authority has no objection to the proposals and based on the LHA's views there is no objection to the scheme on highway safety grounds, subject to conditions and agreement via a Unilateral Undertaking to connect the footpath with the site and

improvement to the public footpath. These would comprise replacing the existing stiles with kissing gates and improvement to the path to prevent mud build up.

Conclusion

- 9.45 Given the support of the LHA it would be difficult to include a reason for refusal on highway safety, however officers are still concerned over the sustainability of this site for cyclists, pedestrians and future growth or future occupiers of the building.

Other matters

- 9.45. The proposal is located away from residential properties and would not appear to adversely impact on their amenity.
- 9.46. Regarding drainage and flood risk, the site is not in Flood Zones 2 or 3, and the lead local flood authority has no objection; the proposal is thus considered acceptable in this regard.
- 9.47. The applicant has expressed agreement to legally tying the new buildings to the specific business use. In addition, a condition is required to limit the use to the use class proposed as to remove permitted development rights for extensions in order to allow for future assessment of any forthcoming future application.

10. PLANNING BALANCE AND CONCLUSION

- 10.1. The economic objective of the NPPF would be partially satisfied because the proposal would allow an existing rural based business to expand and grow. The proposal is closely related to farming, food production and sustainable agricultural practices. It has operated nearby for 15 years and now requires suitable, permanent premises to remain effective, consolidate and grow.
- 10.2. The Planning Statement advises the following:

A decade ago DSV had six employees working on site and since then the marketing and sales office has been merged with this site, resulting in 10 staff on site and a further 5 employees working from home who also need space when visiting for meetings. The proposal will allow DSV's full workforce of 15 to be on site with plans to increase employment by 3 during the summer months.

The cost of the project is estimated at about £4 million. In addition, current investment includes around £25,000 to four local land owners annually. It also includes investment in two local mechanics for machinery-servicing amounting to about £16,000. DSV also employ a cleaner locally, hire extra summer staff from the village as well as using the nearby Garden Centre and Farm Shop for supplies. DSV did a cost comparison of the proposal against remaining on the current site. It worked out that whilst the initial upfront cost is substantial, the company would 'break even' within ten years of moving premises compared to paying their projected annual rent on the current site.

- 10.3. However, conversely, this would allow another business to relocate into the old building thus potentially creating further intensification over and above that of the existing business to the detriment the countryside and adversely impacting on sustainability.
- 10.4. The social objective of the NPPF seeks the provision of strong, vibrant and healthy communities. In social terms, the proposal promotes and improves its chances of

local staff retention. The new facilities aim to tackle issues such as staff mental health and the health and safety of DSV staff.

- 10.5. The proposal has a strong functional link to agriculture which benefits society through food and plant production. This ensures food supply, addresses poverty, creates opportunities throughout the food system, makes farming more sustainable and adds value to communities, provides materials for other businesses, helps balance ecosystems and the provision of food for animals.
- 10.6. The environmental objective of the NPPF seeks to protect and enhance our natural environment. The site is an environmentally unsustainable location; however, it is considered that exceptional circumstances have been demonstrated which justify the location. Given its scale and location, the proposed development would result in some harm arising from the visual impact of the proposed development on the rural character of the area. There would be some conflict with Policies ESD13 and ESD15 of the CLP 2015, and with the provisions of the NPPF. This weighs against the proposal. That said, the office building, which was one of the major concerns in the previous application, has been amended in terms of design and is now more sympathetic to the site and its agricultural surroundings.
- 10.7. On balance, it is considered that the adverse effects of the revised proposal do not significantly outweigh the benefits. The revised proposal is considered to be in accordance with the most relevant policies and thrust of the Development Plan but also supported by other material considerations, including the NPPF and other recent Government initiatives to support food production, rural businesses and recognise their important contribution to the local and national economies. The proposal is considered to represent sustainable development and is therefore recommended for approval subject to the following conditions and a legal agreement securing offsite Biodiversity net gain and a footpath link.

11. RECOMMENDATION -

DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT TO GRANT PERMISSION, SUBJECT TO:

- **THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY), AND**
- **THE COMPLETION OF A PLANNING OBLIGATION UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990, AS SUBSTITUTED BY THE PLANNING AND COMPENSATION ACT 1991, TO SECURE THE FOLLOWING (AND ANY AMENDMENTS AS DEEMED NECESSARY):**
 - **CONTRIBUTIONS TO HIGHWAYS AND**
 - **OFFSITE BIODIVERSITY NET GAIN**

Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out in accordance with the application forms and the following plans and documents:

Site location Plan 1:1250 and 1:2500 494-01 Rev C

Proposed Site Layout Plan 1:200 494-100 Rev H

Proposed Ground Floor Offices 1:50 494-110 Rev E

Proposed Offices First Floor Plan 1:50 494-111 Rev E

Proposed Offices Roof Plan 1:50 494-112 Rev B

Proposed Buildings 1 and 2 Elevations 1:100 494-200 Rev B

Proposed Buildings 2 and 3 Floor Plans 1:100 494-120 Rev D

Proposed Buildings 2 and 3 Elevations 1:100 494-201 Rev B

Proposed Building 4 Floor Plan 1:100 494-140 Rev D

Proposed Building 4 Elevations 1:100 494-202 Rev B

Site Elevations 1:100 494-20 Rev A

Greenhouse Elevations 4152-01 Rev 2

Greenhouse Floor Plans 4152-02 Rev 1

Proposed Material Schedule 494-205 Rev A

Tree Protection Plan 23.1754.001 Rev A

Received 22/03/2024

Infiltration Basin Calculations

Porous Paving calculations

Received 14/05/2024

Proposed Material Schedule 494-205 Rev A received 11/06/2024

3. No development shall commence above slab level unless and until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme for landscaping the site shall include:-

- details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas,
- details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,
- details of the hard surface areas, including pavements, pedestrian areas, reduced-dig areas, crossing points and steps.
- details of the proposed boundary treatment

The development shall not be carried out other than in accordance with the approved details and the hard landscape elements shall be carried out prior to the first occupation of the development and shall be retained as such thereafter.

Reason: To protect the visual amenity and ecology of the area. To accord with Policies ESD10, ESD13 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance in the National Planning Policy Framework.

4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner. Any trees, herbaceous planting and shrubs which, within a period of five years from the completion of the development die, are

removed or become seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species.

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

5. No development shall commence unless and until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The statement shall provide for at a minimum:
 - a. The parking of vehicles of site operatives and visitors;
 - b. The routing of HGVs to and from the site;
 - c. Storage of plant and materials used in constructing the development;
 - d. Wheel washing facilities/ road sweeping;
 - e. Measures to control the emission of dust and dirt during construction;
 - f. Delivery and construction working hours;
 - g. Biodiversity impact assessment
 - h. The approved CEMP shall be adhered to throughout the construction period for the development.

Reason: To ensure the environment is protected during construction in accordance with Policy ENV1 of the Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

6. No development shall commence, including any demolition, any works of site clearance and or the introduction of any construction machinery onto the site, unless and until protective fencing and warning notices have been erected on the site in accordance with the approved [construction method statement, ecological report, CEMP]. All protective fencing and warning signs shall be maintained in accordance with approved details for the entirety of the construction phase.

Reason - To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

7. No development shall commence unless and until full specification details (including construction, layout, surfacing and drainage) of the turning area and parking spaces within the curtilage of the site, arranged so that motor vehicles may enter, turn round and leave in a forward direction and vehicles may park off the highway, have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Thereafter, and prior to the first occupation of the development, the turning area and car parking spaces shall be constructed in accordance with the approved details and shall be retained for the parking and manoeuvring of vehicles at all times thereafter.

Reason - In the interests of highway safety, to ensure the provision of off-street car parking and to comply with Government guidance contained within the National Planning Policy Framework.

8. Prior to first occupation of the development hereby approved, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the LEMP shall be carried out in accordance with the approved details.

Reason - To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within Section 15 of the National Planning Policy Framework.

9. Prior to the first occupation of the development, details of a proposed external lighting scheme shall be submitted to the local planning authority. The scheme shall set out the steps that will be taken to ensure that external lighting, including zonal/security lighting and column lighting within development promotes a secure environment and does not cause a nuisance to local residents or wildlife.

Reason –To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy ESD10 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

10. No development shall commence above slab level until a schedule of materials and finishes for the external walls and roof(s) of the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved schedule and shall be retained as such thereafter.

Reason - To ensure the satisfactory appearance of the completed development and to safeguard the character and appearance of the area and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

11. Prior to the first use or occupation of the development hereby permitted the cycle parking as shown on the approved plans shall be provided in accordance with the approved plans, except that they shall be covered. The said cycle parking facilities shall be permanently retained and maintained thereafter for the parking of cycles in connection with the development.

Reason - In the interests of sustainability, to ensure a satisfactory form of development and to comply with Government guidance contained within the National Planning Policy Framework.

12. DRAINAGE CONDITIONS AS REQUIRED BY LLFA

13. TRANSPORT CONDITIONS AS REQUIRED BY THE LHA

14. SECURE HMMP CONDITION

15. Notwithstanding the provisions of Part 7, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and its subsequent amendments, the approved building shall not be extended or altered without the grant of further specific planning permission from the Local Planning Authority.

Reason - To enable the Local Planning Authority to retain planning control over the development of the site in order to safeguard the amenities of the area in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

16. The buildings hereby permitted shall be used only for purposes falling within research and development (Class E(g)(ii)) as specified in Schedule 2 to the Town and Country Planning (Use Classes) Order 1987 (as amended) with ancillary agricultural and for no other purpose(s) whatsoever.

Reason: To enable the Local Planning Authority to retain planning control over the development of the site, in the interests of sustainable development and in order to maintain the character of the area in accordance with Saved Policy C28 of the Cherwell Local Plan 1996, Policies SLE1 and ESD 15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

17. No development shall commence unless and until an Arboricultural method statement in line with BS5837:2012 has been submitted for review, outlining protective measures, and working practices to allow retention of existing trees/hedges.

Reason : To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

18. Prior to the first occupation of the development, a scheme for the provision of vehicular electric charging points to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The vehicular electric charging points shall be provided in accordance with the approved details prior to the first occupation of the unit they serve and shall be retained as such thereafter.

Reason: To comply with Policies SLE 4, ESD 1, ESD 3 and ESD 5 of the Cherwell Local Plan 2011-2031 Part 1 and to maximise opportunities for sustainable transport modes in accordance with paragraph 114(a) of the National Planning Policy Framework.

CASE OFFICER: Saffron Loasby